

Remarks/Arguments:

Improper Final Rejection

Claims 1 and 3-11 are pending in the above-identified application. In the amendment dated March 20, 2008, claim 9 was amended to correct a typographical error and to be independent in form including the limitations of claim 1 from which it previously depended. The scope of claim 9 is not changed by this amendment. In the Office Action dated December 26, 2007, claim 9 was rejected under 35 U.S.C. § 103(a) as being obvious in view of Berenbaum, Griffin and Chieu. In the Office Action dated June 24, 2008, however, claim 9 was rejected under 35 U.S.C. § 103(a) as being obvious in view of Berenbaum, Griffin, Markwalter and Chieu. This rejection is a new ground for rejection that was not necessitated by Applicant's Amendment. Accordingly, the Office Action dated June 24, 2008 should not have been a Final Office Action but should have been a Non-Final Office Action. Applicant requests that the Finality of this Office Action be withdrawn and that the Action be treated as a Non-Final Office Action.

Rejections under 35 U.S.C. § 103

Claim 1 was rejected under 35 U.S.C. § 103(a) as being obvious in view of Berenbaum et al. U.S. pat no. 6,272,144 (hereinafter Berenbaum), Griffin et al. U.S. pat no. 5,406,403 (hereinafter Griffin) and Markwalter et al U.S. pat. No. 6,577,630 (hereinafter Markwalter). Applicant respectfully requests reconsideration. In particular, neither Berenbaum, Griffin, Markwalter nor their combination disclose or suggest,

a single decoder serving the plurality of modules, the single decoder decoding the mode selection bits of the packets and providing respective mode selection signals to the plurality of modules;

wherein each of the modules is operable in a reconfiguration mode in which the data portion of the packet is used change the data processing performed by the module or a processing mode in which the data portion of the packet is processed by the data processing module, responsive to the respective mode selection signal,

as required by claim 1.

In the Office Action it was admitted that "Berenbaum fails to explicitly teach [that] a module is operable in a reconfiguration mode or a processing mode responsive to a mode

selection signal, a header section and a data section, a plurality of reconfigurable data processing modules, a single decoder serving a plurality of modules, a single decoder decoding bits of packets and providing signals to a plurality of modules, in which a portion of a packet is used to change data processing performed by a module." In the Office Action, Markwalter is cited as disclosing "a header section and a data section, a plurality of reconfigurable data processing modules, a single decoder serving a plurality of modules, a single decoder decoding bits of packets and providing signals to a plurality of modules, in which a portion of a packet is used to change data processing performed by a module." In particular, with reference to claim 4, it is asserted that Markwalter discloses "a header section and a data section, a plurality of reconfigurable data processing modules, a single decoder serving a plurality of modules, a single decoder decoding bits of packets and providing signals to a plurality of modules." Applicant respectfully disagrees with this assertion. In particular, Markwalter, in the passage cited by the examiner, col. 8, line 65 through col. 9, line 12, merely states that "the RX configuration unit uses the frame control information to direct the controller to configure the receiver units for further decoding." Markwalter does not describe the "receiver units." Instead, it appears the receiver units are assumed to be the demodulator 66, Data FEC decoder 68 and descrambler 70. (See page 5, line 14 of the Office Action). The next paragraph in the Markwalter patent (column 9, lines 13-16) however, is the only other reference to the "receiver units" in the patent and it indicates that the "transmitter/receiver functional units... have been largely omitted herein." Thus, the "receiver units" that are being reprogrammed are not the elements described by the examiner.

Indeed, it appears that the receiver units are units on the network accessible by the MAC 74. As such, there is nothing in Markwalter to disclose or suggest that the RX configuration unit provides respective mode selection signals to the receiver units in order to configure these units.

Griffin does not disclose or suggest a single decoder serving a plurality of modules which decodes the mode selection bits of the packets to provide respective mode selection signals to the modules. Instead, Griffin discloses sending reconfiguration data packets from a transmitter to a receiver using bits in the packet to indicate whether the data represents configuration information. (See col. 3, lines 30-41). Consequently, Griffin can not provide the material that is missing from Berenbaum. Because neither Berenbaum, Griffin, Markwalter nor their combination disclose or suggest the limitations of claim 1, claim 1 is not subject to rejection under 35 U.S.C. § 103(a) in view of Berenbaum, Griffin and Markwalter.

Claims 3-7 and 11 were rejected under 35 U.S.C. § 103(a) as being obvious in view of Berenbaum, Griffin, Markwalter and further in view of the article by Laufer et al. (hereinafter Laufer). Berenbaum, Griffin and Markwalter are described above. Laufer was cited as disclosing that "the frame header contains at least one mode selection bit for each of the modules." Applicant respectfully disagrees with this assertion. In particular, Laufer discloses a Chip ID which identifies a particular chip that the header is meant to control. This is not the same as a dedicated mode selection bit for each of the modules. The use of the Chip ID requires that each module have a mechanism for recognizing when the Chip ID of a packet matches or does not match its own Chip ID. As disclosed in Fig. 4, Chip ID's are assigned as consecutive integers. Thus, the Chip ID used by Laufer can not be "at least one mode selection bit for each of the modules," as required by claim 3. The mechanism that would be used by Laufer to process the Chip ID is much more complex than a simple gating scheme that may be used by a system according to the present invention in which the single decoder merely examines the state of a respective bit in the header for each module in order to generate a respective mode selection signal for each module. Thus a system according to the present invention may be simpler than a device including a Chip ID field as disclosed by Laufer. In addition, claim 3 depends from claim 1 and Laufer does not provide the material, described above, that is missing from Berenbaum, Griffin and Markwalter with respect to the response to the rejection of claim 1. Accordingly, claim 3 is not subject to rejection under 35 U.S.C. § 103(a) in view of Berenbaum, Griffin, Markwalter and Laufer. Claims 4 and 5 depend from claim 3 and claims 6, 7 and 11 depend from claim 1. Thus, these claims are not subject to rejection under 35 U.S.C. § 103(a) in view of Berenbaum, Griffin, Markwalter and Laufer for at least the same reasons as the claims from which they depend.

Claims 8, 9 and 10 were rejected under 35 U.S.C. § 103(a) as being obvious in view of Berenbaum, Griffin, Markwalter and U.S. pat. no. 6,501,807 to Chieu et al. (hereinafter Chieu). With regard to claim 9, this ground for rejection is respectfully traversed. In particular, neither Berenbaum, Griffin, Markwalter nor Chieu disclose or suggest that "default configuration data is supplied to at least one module of the plurality of modules from a memory outside the at least one module." In the Office Action, it is asserted that the memory 24 of Chieu meets this limitation. Applicant respectfully disagrees with this assertion. In particular, the memory 24 is disclosed as providing "program instructions utilized upon the initial start-up of the interrogator 10. These instructions are provided to the microcontroller 22 which is in the same module 20

as the memory 24. Thus, Chieu does not disclose a memory "outside the at least one module," as required by claim 9.

Furthermore, the newly-cited Markwalter reference does not include this limitation. The only memories disclosed in Markwalter are the TX Channel Maps Memory 78a and the RX Channel Maps Memory 78b. These memories are described at col. 7, line 50 through col. 8, line 52. As described, these memories do not contain default configuration data and are in the physical layer device. Thus, these memories do not meet the limitations of claim 9. Accordingly, claim 9 is not subject to rejection under 35 U.S.C. § 103(a) in view of Berenbaum, Griffin, Markwalter and Chieu.

Claims 8 and 10 depend from claim 1. Berenbaum, Griffin and Markwalter are described above. Chieu discloses an RF/ID interrogator. It discloses only a single unit and, so, can not disclose or suggest the material that is missing from Berenbaum, Griffin and Markwalter, as described above. Accordingly, claims 8 and 10 are not subject to rejection under 35 U.S.C. § 103(a) as being obvious in view of Berenbaum, Griffin and Chieu.

The references that were cited but not applied have been considered but do not affect the patentability of the invention.

In view of the foregoing amendments and remarks, Applicant requests that the Examiner reconsider and withdraw the rejection of claims 1 and 3-11.

Respectfully submitted,



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KNN/pb

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